

Congressman Jesse Jackson, Jr., introduced H.R. 2560, into the House of Representatives today. H.R. 2560, also known as the "Elaine Sullivan Act", is designed to protect patients who are brought into a hospital unconscious or physically unable to give informed consent by making sure that their emergency contact or Next of Kin will be contacted within 24 hours.

Jackson said, "Most hospitals notify the Next of Kin of unconscious emergency room arrivals relatively quickly. However, emergency rooms are extremely high-pressured, intense and sometime chaotic environments. In the hustle and bustle of the ER, despite the dedication and professionalism of staff, there are real risks that a simple phone call may not be made in a timely fashion.

"This legislation is not intended to frustrate the mission of hospitals, but rather, facilitate it. It's about notifying the right people at the right time in order to share the right information during an emergency. It's a small, but significant measure to protect the voiceless and the vulnerable. Not only is it important to have a family member present to comfort the patient, but also to make informed decisions the patient can't make for him or herself and to provide the medical history that could very well be the difference between life and death," Jackson concluded.

The bill makes federal grants available to qualified not-for-profit organizations to establish and operate a national Next of Kin registry. People would voluntarily sign up. Hospitals would have access to the registry and could then notify the Next of Kin in case of an emergency. It requires hospitals that receive Medicare funding to make reasonable efforts to contact a family member, specified healthcare agent, or surrogate decision-maker of an incapacitated patient within 24 hours of arrival at the emergency department. It is modeled after similar laws in Illinois and California.

The bill is named for Elaine Sullivan, who at 71-years old, fell in her apartment and was taken to a nearby hospital. Although her daughter's phone number was in Elaine's chart, the hospital failed to notify Jan that her mother, Elaine, had been hospitalized. Just a few hours after she was finally notified, Elaine died, unnecessarily alone.

Elaine's daughter and granddaughter, Jan and Laura Greenwald, have worked to prevent similar tragedies from happening to other families.